

1 PHILIP C. HUNSUCKER (SBN 135860)
2 BRIAN L. ZAGON (SBN 142403)
3 MARC SHAPP (SBN 266805)
4 HUNSUCKER GOODSTEIN PC
5 3717 Mt. Diablo Blvd., Suite 200
6 Lafayette, CA 94549
7 Telephone: (925) 284-0840
8 Facsimile: (925) 284-0870

9 LEE N. SMITH (SBN 138071)
10 PERKINS, MANN & EVERETT, APC
11 7815 N. Palm Ave, Suite 200
12 Fresno, CA 93711
13 Telephone: (559) 447-5700
14 Facsimile: (559) 447-5600

15 Attorneys for Plaintiff
16 AMERIPRIDE SERVICES INC.

17 FRED M. BLUM (SBN 101586)
18 ERIN K. POPPLER (SBN 267724)
19 VIVY D. DANG (SBN 297714)
20 BASSI, EDLIN, HUIE & BLUM LLP
21 500 Washington Street, Suite 700
22 San Francisco, CA 94111
23 Telephone: (415) 397-9006
24 Facsimile: (415) 397-1339

25 Attorneys for Defendant
26 TEXAS EASTERN OVERSEAS, INC.

27 **UNITED STATES DISTRICT COURT**
28 **EASTERN DISTRICT OF CALIFORNIA**

19 AMERIPRIDE SERVICES INC., a
20 Delaware corporation,

21 Plaintiff,

22 vs.

23 VALLEY INDUSTRIAL SERVICES, INC.,
24 a former California Corporation, et al.

25 Defendants.

26 AND CONSOLIDATED ACTION AND
27 CROSS AND COUNTER-CLAIMS.

28 Case No. 2:00-cv-00113-MCE-DB

**STIPULATION AND ORDER RE
RECEIVING ADDITIONAL TEO TRIAL
EXHIBITS INTO EVIDENCE**

Trial Date: October 17-19, 2016

Time: 9:00 a.m.

Courtroom: 7

Judge: Hon. Morrison C. England, Jr.

Complaint Filed: January 20, 2000

1 Plaintiff AMERIPRIDE SERVICES INC. ("AmeriPride") and Defendant TEXAS
2 EASTERN OVERSEAS, INC. ("TEO"), by and through their respective counsel, stipulate
3 as follows with respect to the admission of demonstrative exhibits:

4 **RECITALS**

5 1. On October 3, 2016, AmeriPride and TEO exchanged copies of their
6 respective trial exhibits, see ECF No. 1063-1 at 5-28 and 29-108;

7 2. On October 11, 2016, AmeriPride and TEO each filed and served objections
8 to some but not all of the other party's trial exhibits, see ECF Nos. 1087 and 1089;

9 3. On October 17 through October 19, 2016, the Court held a bench trial in this
10 matter (the "Trial");

11 4. On October 19, 2016, the Court ordered that all of the exhibits to which
12 objections were not raised would be received into evidence, ECF No. 1110;

13 5. On October 19, 2016, TEO stated at the Trial that it intended to move
14 additional exhibits into evidence to which AmeriPride raised objections;

15 6. The Court has ordered AmeriPride and TEO to file with the Court a list of
16 additional exhibits TEO intends to move into evidence;

17 **STIPULATION**

18 Based on the foregoing, AmeriPride and TEO, through their respective counsel of
19 record, stipulate as follows:

20 1. All of the documents or records TEO intends to move into evidence subject
21 to this Stipulation are included in the attached **Exhibit A**;

22 2. AmeriPride timely objected to each of the exhibits identified in **Exhibit A** on
23 the grounds stated in its objections to TEO's trial exhibits (ECF No. 1089);

24 3. The Court has overruled AmeriPride's objections to the exhibits identified on
25 **Exhibit A** and the exhibits listed in **Exhibit A** are to be received into evidence.

1 Date: November 3, 2016

BASSI, EDLIN, HUIE & BLUM LLP

2 By: /s/ Fred M. Blum

3 FRED M. BLUM

4 ERIN K. POPPLER

Attorneys for Defendant

5 TEXAS EASTERN OVERSEAS, INC.

6 Date: November 3, 2016

7 HUNSUCKER GOODSTEIN PC

8 By: /s/ Brian L. Zagon

9 PHILIP C. HUNSUCKER

10 BRIAN L. ZAGON

11 MARC A. SHAPP

12 Attorneys for Plaintiffs

13 AMERIPRIDE SERVICES INC.

14 Date: November 3, 2016

15 PERKINS MANN & EVERETT, APC

16 By: /s/ Lee N. Smith

17 LEE N. SMITH

18 Attorneys for Plaintiffs

19 AMERIPRIDE SERVICES INC.

20 **ORDER**

21 Based on the parties' stipulation, the Court hereby receives into evidence TEO's
22 additional trial exhibits, included in Exhibit A attached to the above stipulation, filed with
23 the Court at ECF No. 1123. The Court adopts this Exhibit A, in conjunction with Exhibits A
24 and B attached to the parties' Joint Filing of Trial Exhibits Admitted Into Evidence By
25 Stipulation (ECF No. 1116) as the final list of admitted trial exhibits.

26 IT IS SO ORDERED.

27 Dated: November 10, 2016

28 
29 MORRISON C. ENGLAND, JR.
30 UNITED STATES DISTRICT JUDGE